

State of Alaska

Department of Health & Social Services

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NEWS RELEASE



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Synar Fact Sheet

[Synar/Enforcement Fact Sheet follows]

What is Synar? In 1992, Congress adopted the Synar Amendment, as part of the Alcohol, Drug Abuse and Mental Health Reorganization Act. The Synar Amendment requires states to adopt laws for establishing minimum ages for tobacco sales, to enforce the law and to show progressive reductions in retail availability of tobacco products to minors.

What is the Synar survey? The Synar survey is an annual, statewide undercover youth tobacco survey conducted to ascertain the State's compliance with laws that prohibit sales of tobacco products to youth. Each state that wishes to maintain Substance Abuse & Mental Health Services Administration (SAMHSA) Block Grant eligibility must complete this survey.

Why is participating in this survey important? States that do not choose to participate in this survey lose their eligibility for the SAMHSA Block Grant. These funds are used to support alcohol, drug and mental health treatment programs and services. It is also important to conduct this survey and conduct tobacco enforcement as a means to decrease youth access to tobacco.

Since 1999, States receiving SAMHSA Block Grant funds need to demonstrate an 80% or better compliance rate with tobacco youth access laws, or be penalized. Until this year, Alaska has never achieved the federally required 20% rate of illegal tobacco sales to youth. As a result, Alaska has sustained significant penalties.

| Year | Illegal Sales Rate | Penalty to Alaska |
|------|--------------------|---------------------------------------|
| 1999 | 34% | \$481,687 |
| 2000 | 36% | \$478,633 |
| 2001 | 28% | Federally negotiated rate, no penalty |
| 2002 | 30% | \$458,230 |
| 2003 | 10% | Compliance achieved. No penalty |

Tobacco Enforcement Partners: Department of Health and Social Services, Department of Behavioral Health, Department of Law, Department of Community and Economic Development, Department of Licensing, Statewide Tobacco Vendors, Local Community-Based Tobacco Prevention and Control Coalitions, Local police departments

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Statewide Tobacco Prevention and Control Effort Partners include: Alaska Native Health Board, American Lung Association of Alaska, American Cancer Society, American Heart Association, Alaska Tobacco Control Alliance, Statewide Community-based Tobacco Prevention and Control Coalitions

Summary: The significant drop in illegal tobacco sales to youth can be attributed to strong enforcement efforts, a statewide vendor education campaign, swift enactment of penalties in which illegal tobacco sales to youth occurred, cooperation of tobacco vendors to abide by youth tobacco laws and local and statewide efforts that address the issue of youth access to tobacco.

[Synar/Enforcement Fact Sheet follows]

Synar/Enforcement Fact Sheet

Tobacco and Youth Initiation:

- Tobacco use is the number one cause of preventable death in the United States. (Office of the Surgeon General)
- In 2000, 75% of people who tried cigarettes for the first time were under 18 years of age (National Survey of Drug Use and Health).
- Nicotine in tobacco is highly addictive, especially for youth. Symptoms of addiction can appear in young kids within weeks or only days after occasional smoking first begins. (DiFranza, Tobacco Control, September 2000).
- In 1995, the total number of high school students who purchased their own tobacco products was 28%. (Youth Risk Behavior Survey [YRBS], 1995)
- In 2003, the total number of high school students who purchased their own tobacco products was 15%. (YRBS, 2003)

Purpose of the Youth-Targeted Tobacco Investigation Program:

- To protect the health and future of Alaska's youth
- To decrease youth initiation to tobacco by enforcing laws that prohibits tobacco sales to youth.

Summary of Alaska Tobacco Laws:

- It is against the law to sell tobacco products of any kind to anyone under the age of 19. Tobacco products include: cigarettes, cigars, chewing tobacco and pipe tobacco.
- A person who sells tobacco to a minor will be fined no less than \$300 upon conviction (AS 11.76.100).
- Business owners are also subject to civil fines starting at \$300.00 and the suspension of their tobacco endorsement if they, an agent, or employee makes an illegal sale of tobacco. Suspensions are for 20 days or more, depending on number of previous convictions (AS 11.76.100, 11.76.106, or 11.76.107).
- Access to tobacco products must be controlled. No self-service tobacco displays are allowed except in adult – only facilities, such as bars or liquor stores.
- Stores must post a sign where it is clearly visible to customers that states “The Sale of Tobacco Products to Persons Under the Age of 19 is Illegal.
- Sale of unpackaged cigarettes is prohibited. Cigarettes must be sold in groups of at least 20 and be in the manufacturer's original package or carton.
- A current Business License and tobacco Endorsement are required for the sale of cigarettes, cigars, tobacco or other products containing tobacco.

Undercover Investigations:

- State and local authorities conduct undercover compliance checks throughout the State. As part of this year's Synar survey, 498 investigations were conducted.
- Additional tobacco enforcement investigations are conducted throughout the year.
- Selection of tobacco outlets to be included in the annual Synar Survey is based on SAMHSA Synar Survey methodology requirements. Any tobacco outlet accessible to youth may be randomly selected as an investigation location for this survey.
- An investigator and “undercover” youth between the ages of 15 and 18 enter a store. The “undercover” youth attempts to buy a tobacco product. If tobacco is sold to this person, the store and the clerk are subject to fines and penalties.
- The “undercover” youth carry authentic identification and answer truthfully when asked their age.

- During the Synar Survey, if a tobacco clerk refuses to make a tobacco sale to the “undercover” youth, it is recorded as “no sale”.
- Conversely, if during the Synar Survey a tobacco clerk makes a tobacco sale to the “undercover” youth, it is recorded as a “sale”.
- The ratio of sales to no sales, along with other Synar methodology factors, determines the Synar Compliance Rate with Tobacco Youth Access Laws.
- In 2002, 139 tobacco cases were opened. However, approximately 25% of these had been backlogged from 2001 and 2002.
- To date, in 2003, 78 tobacco cases have been opened.

Tobacco Vendor Education Materials:

- The State of Alaska has provided all tobacco endorsement holders with State of Alaska Tobacco Sales to Minors Vendor Education materials.
- These materials are free of charge. Additional materials may be obtained through DCED (Don Faulkenbury; 269-8186) and through the Tobacco Enforcement Team (Joe Darnell, tobacco enforcement team manager at 269-8869)

Tobacco Vendor Education Trainings:

- Tobacco Vendor Education trainings are available free of charge (Contact, tobacco enforcement team manager, Joe Darnell, 269-8869)

Compliance with Alaska’s Laws is Easy:

- Check the photo ID of every person that appears to be 27 years of age or younger.
- Verify that the picture matches the person making the tobacco purchase and that the identification presented has not been tampered with.
- Check the person’s date of birth. An age calculator is available free of charge. We recommend that stores install age verification software in their cash registers to better insure that mistakes are not made.
- Have tobacco sales clerks review Alaska’s Vendor Education materials at least twice a year. These materials include tips on how to handle difficult situations and other valuable information.

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